

Minutes



Planning and Zoning Commission Regular Session

Council Chamber
101 W. Abram St.

**October 6, 2010
5:30 P.M.**

The Planning and Zoning Commission of the City of Arlington, Texas, convened in Regular Session on October 6, 2010, at 5:30 p.m. in the Council Chamber of City Hall, 101 West Abram Street, with the meeting being open to the public and notice of said meeting, giving the date, place and subject thereof, having been posted as prescribed by V.T.C.A., Government Code, Chapter 551, with the following members present, to-wit:

Victor Vandergriff	*	Chair
Maurice Barksdale	*	
Jeff Pokrifcsak	*	
Brandon Hill	*	Commissioners
Charla Hawkes Vinyard	*	
Suzanne Key	*	
Michael Forbes	*	
Jim Parajon	*	Director, Community Development and Planning
Maria Carbajal	*	Planning Manager, Community Development and Planning
Kathy Zibilich	*	Assistant City Attorney

Absent:

Andrew Piel
Kevin McGlaun

- I. Call to Order at 5:34 p.m.
- II. Pledge was led by Commissioner Pokrifcsak
- III. Minutes of the September 15, 2010, Planning and Zoning Regular Session were approved as presented.
- IV. PLAT CONSENT AGENDA AND PUBLIC HEARING FOR PLATS
 - A. Replat - Murray Estates Addition, Lot 1R1A-1 and Lot 1R1A-2 (Zoned "ED-R" [Entertainment District-Single family residential with a minimum lot size of 7,200 square feet], "ED-NS" [Entertainment District-Neighborhood Service], and "ED-CS" [Entertainment District-Community Service]); 801 East Randol Mill Road generally located north of East Randol Mill Road and east of Roosevelt Street
 - B. Plat Vacation - Arm Estates Addition, Lot 5R1, Block 1

(Zoned "R" [Single family residential with a minimum lot size of 7,200 square feet]); 5601 Cardinal Oaks Court generally located south of Collard Road and east of Cardinal Oaks Court

Present to go on record in support of the Murray Estates replat and to answer questions, if necessary, was Jacob Sumpter, MMA, Inc., 200 East Abram Street

Jeff Pokrifcsak made a motion to approve the Plat Consent Agenda. Seconded by Michael Forbes, the motion carried with a vote of 7-0-0.

PLAT CONSENT AGENDA APPROVED

V. PUBLIC HEARING FOR ZONING CASES

A. (CONTINUED (from 9-1-10) Zoning Case ZA10-5 and SUP10-15 (Tetrapod Drill Site – 819 and 825 West Mayfield Road)

Application to change the zoning on approximately 12.019 acres from "PD (Planned Development) for all "O" (Office) uses plus a hospital" to "O" (Office) and for approval of a Specific Use Permit for gas drilling on 5.758 acres of land; 819 and 825 West Mayfield Road generally located north of West Mayfield Road and west of Matlock Road

Chair Vandergriff announced that there has been a request to continue this case to the 11/10/10 meeting.

Jeff Pokrifcsak made a motion to continue Zoning Case ZA10-5 and SUP10-15 to the 11/10/10 meeting. Seconded by Maurice Barksdale, the motion carried with the following vote:

AYES: Victor Vandergriff, Maurice Barksdale, Jeff Pokrifcsak, Charla Hawkes Vinyard, Suzanne Key, and Michael Forbes

NAYS: None

ABSTAIN: Brandon Hill

CONTINUED to the November 10, 2010 Meeting

B. Zoning Case ZA10-11 (South Davis Drive Conservation District - 204, 206, 210, 300, 404, 406, 408, 410, 412, and 418 South Davis Drive)

Application to adopt a Conservation District overlay zoning district on approximately 4.23 acres zoned "R" (Single-family residential with a minimum lot size of 7,200 square feet); 204, 206, 210, 300, 404, 406, 408, 410, 412, and 418 South Davis Drive generally located south of West Abram Street and west of South Davis Drive.

Clayton Husband, Planning Project Manager II, presented this case.

Present to speak in support of this case was Anna Pettit, 410 South Davis Drive.

Present to go on record in support of this case was Merry Sarles, 408 South Davis Drive; Ron Durden, 703 Charles Court; A. Elena Cogdell, 2922 Lakeshore Drive; Mary Altwegg, 1300 Southwood Boulevard; Mary Rider,

418 South Davis Drive; Sharron and Richard Merrill, 1301 Killian Drive; Marsha and Jerry Moser, 204 Sunset Drive.

Commissioner Vinyard asked if those who signed the petition to have this overlay district were aware of the restrictions. Ms. Pettit answered that they did and their goal is to preserve and protect what they have now. She stated that none of them are anticipating, in ten or 20 years, selling to developers or anyone who would build taller or multi-unit structures. She mentioned that they are well aware that selling the property would entail changes. Commissioner Vinyard asked if they are aware that if this is passed, it will be in place for any heirs. Ms. Pettit answered in the affirmative. Commissioner Vinyard asked if the two people who had not signed the petition have been contacted. Ms. Pettit answered that they have sent letters to the owner listed in TAD. Commissioner Vinyard stated that she would feel better about this if all ten were in agreement. Ms. Pettit mentioned that she feels that the others would be in agreement. Commissioner Vinyard said that she is good friends with one of the people who did not sign and feels she should recuse herself from this case. Chair Vandergriff stated that according to the Rules of Procedure, one cannot recuse themselves due to a personal acquaintance. He mentioned that it has to be relative to a true conflict or a financial interest. He said that the Commission would have to vote to allow her to recuse. Commissioner Vinyard stated that she does not mind voting, but that she feels that she would be torn between one person's feelings and another person's feelings. Chair Vandergriff stated that, unfortunately, that is part of the service on the Commission. He mentioned that if she wants to pursue this, a majority of the Commission has to vote to allow her to recuse herself.

Commissioner Pokrifcsak asked what percentage of signatures is required for this case. Mr. Husband replied that 60% is the requirement and 80% signed. Commissioner Pokrifcsak stated that he is concerned that the other owners have not signed. Mr. Husband stated that when they got the 80% they decided to submit the request. Chair Vandergriff asked Commissioner Pokrifcsak if he wants to continue the case until all ten of the owners have signed. Commissioner Pokrifcsak answered that if they are confident they can secure the other two signatures he would like to continue the case to the next meeting. He stated that if they feel it is not possible, they can vote on it tonight. Chair Vandergriff asked Ms. Pettit how they felt. Ms. Pettit answered that they submitted because they had 80%. She stated that she feels that they are all on the same page and she would not have come here tonight if she felt that anyone would be opposed.

Jeff Pokrifcsak made a motion to approve allowing Commissioner Vinyard to recuse herself from this case. Seconded by Maurice Barksdale, the motion carried with the following vote:

AYES: Brandon Hill, Jeff Pokrifcsak, Suzanne Key, and Michael Forbes

NAYS: Victor Vandergriff and Maurice Barksdale

ABSTAIN: Charla Hawkes Vinyard

APPROVED 4-2-1

Jeff Pokrifcsak made a motion to continue Zoning Case ZA10-11 to the 10/20/10 meeting. Seconded by Brandon Hill, the motion carried with the following vote:

AYES: Maurice Barksdale, Brandon Hill, Jeff Pokrifcsak, Suzanne Key, and Michael Forbes

NAYS: Victor Vandergriff

ABSTAIN: Charla Hawkes Vinyard

CONTINUED to the October 20, 2010 Meeting

C. Zoning Case ZA10-8
(Alansari Day Care Center – 2331 Webb Lynn Road)

Application to change the zoning on approximately 0.537 acres from "LI" (Light Industrial) to "CS" (Community Service); 2331 Webb Lynn Road generally located north of Webb Lynn Road and west of South Watson Road (SH 360)

Sharon Hurd, Planning Project Manager I, presented this case.

Present to go on record and to answer questions, if necessary, was Jessica Kilgore, 703 Claridge Drive with Noakes Engineering. The question was asked if she had spoken with the owner regarding the Commission's desire to change this zoning to "NS" instead of the "CS" that was requested. She stated that she had spoken with the owner and she indicated approval.

Brandon Hill made a motion to approve Zoning Case ZA10-8 for "NS" zoning. Seconded by Michael Forbes, the motion carried with a vote of 7-0-0.

APPROVED

Being no other business to come before the Commission, Chair Vandergriff adjourned the meeting at 6:10 p.m.

ATTEST:

Chair

Secretary to the Commission
APPROVED this 20th day of October 2010